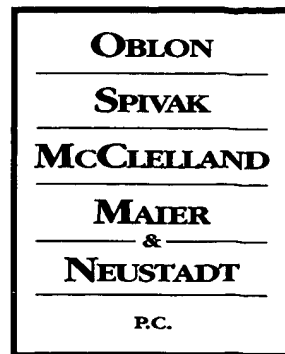




Docket No.: 241118US51

COMMISSIONER FOR PATENTS  
ALEXANDRIA, VIRGINIA 22313



ATTORNEYS AT LAW

RE: Application Serial No.: 10/759,054  
Applicants: Emilio A RAMIREZ Jr. et al.  
Filing Date: January 20, 2004  
For: ELECTRONIC BRAKE FOR MOTOR  
Group Art Unit: 2837  
Examiner: Rina I. DUDA

SIR:

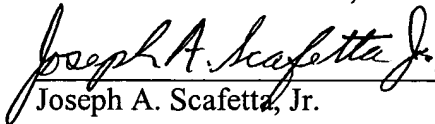
Attached hereto for filing are the following papers:

**Petition Under 37 C.F.R. §1.181  
Comments on Statement of Reasons for Allowance**

Our credit card payment form in the amount of \$0.00 is attached covering any required fees. In the event any variance exists between the amount enclosed and the Patent Office charges for filing the above-noted documents, including any fees required under 37 C.F.R. 1.136 for any necessary Extension of Time to make the filing of the attached documents timely, please charge or credit the difference to our Deposit Account No. 15-0030. Further, if these papers are not considered timely filed, then a petition is hereby made under 37 C.F.R. 1.136 for the necessary extension of time. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,  
MAIER & NEUSTADT, P.C.

  
\_\_\_\_\_  
Joseph A. Scafetta, Jr.

Registration No. 26,803

Customer Number

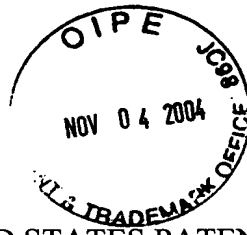
**22850**

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DOCKET NO: 241118US51



IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION OF :  
EMILIO A. RAMIREZ JR. ET AL. : EXAMINER: RINA I. DUDA  
SERIAL NO: 10/759,054 :  
FILED: JANUARY 20, 2004 : GROUP ART UNIT: 2837  
FOR: ELECTRONIC BRAKE FOR :  
MOTOR :

PETITION UNDER 37 C.F.R. §1.181

COMMISSIONER FOR PATENTS  
ALEXANDRIA, VIRGINIA 22313

SIR:

Applicants respectfully petition in accordance with 37 C.F.R. §1.181(a)(3) to compel consideration by the examiner of the enclosed Comments on Statement of Reasons for Allowance. 37 C.F.R. §1.181(a)(3) allows a petition to invoke the supervisory authority of the Commissioner in appropriate circumstances.

In the present case, the Examiner's Statement of Reasons for Allowance inappropriately characterized the claims by placing an unwarranted interpretation on the claims of record. Consequently, this is an appropriate circumstance in which to invoke the supervisory authority of the Commissioner to compel the examiner to consider and enter the enclosed Comments on Statement of Reasons for Allowance.

Accordingly, it is respectfully submitted that this Petition under 37 C.F.R. §1.181 be granted and that the Examiner enter the enclosed Comments on Statement of Reasons for Allowance.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,  
MAIER & NEUSTADT, P.C.

Customer Number

**22850**

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(OSMMN 06/04)



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Registration No. 26,803  
Attorney of Record

JAS/jyh

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